

Declaration For U.S. Patent Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

(Insert Title) Export systems for recombinant proteins

the specification of which

(Check one
of blocks
1, 2 or 3.
See note A
on back of
this page)

1. ☐ is attached hereto.
2. ☒ was filed on 15 March 1996 as
International PCT Application Serial No. PCT/EP96/01130
and was amended on 06 July 1998
(if applicable)
3. ☐ was filed on _____ as
U.S. Application Serial No. _____
and was amended on _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a)

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application for which priority is claimed:

(List prior
foreign
applications.
See note B
on back of
this page)

(Number)	(Country)	(Day/Month/Year Filed)	Priority Claimed <input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No

(See Note C on back
of this page)☐ See attached list for additional prior foreign applications

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT International application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT International filing date of this application:

(List prior U.S.
Applications or
PCT International
applications
designating the
U.S.)

(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
_____	_____	_____
_____	_____	_____

And I hereby appoint as principal attorneys David T. Nikaido, Reg. No. 22,663; Charles M. Marmelstein, Reg. No. 25,895; George B. Oram, Jr., Reg. No. 27,931; Robert B. Murray, Reg. No. 22,980; Martin S. Postman, Reg. No. 18,570; E. Marcie Emas, Reg. No. 32,131; Michael G. Gilman, Reg. No. 19,114; Douglas H. Goldhust, Reg. No. 33,125; Kevin C. Brown, Reg. No. 32,402; Monica Chin Kira, Reg. No. 36,105; Sharon N. Kleiner, Reg. No. 36,335, and John R. Fulez, Reg. No. 37,327.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon

(See Note D
on back of
this page)

Full name of sole or first inventor Jochen Maurer

Inventor's signature _____

Residence D-72070 Tübingen, Federal Republic of Germany Date _____

Citizenship German

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09147036 121598

Applicant or Patentee:

Serial or Patent No.

Filed or Issued:

For:

Attorney's 0110-2117

Docket No.: 13834P US-WC

Export systems for recombinant proteins

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS

(37 CFR 1.9(e) and 1.27 (d) - NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION Max-Planck-Gesellschaft zur Förderung der Wissen-

ADDRESS OF ORGANIZATION schaften e.V.

Hofgartenstraße 2, D-80539 München, Federal Republic of Germany

TYPE OF ORGANIZATION

- ☐ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501 (c) (3))
☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATUTE _____)
☒ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE
(26 USC 501(a) AND 501(c) (3) IF LOCATED IN THE UNITED STATES OF AMERICA
☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE
OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATUTE _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled

Export systems for recombinant proteins by inventor(s) Jochen Maurer,
Joachim Jose, Thomas F. Meyer described
in

- ☐ the specification filed herewith
☒ application serial no. not yet known, filed in US Patent Office 15 Sept.98
☐ patent no. _____, issued _____

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention. If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below * and no rights to the invention are held by any person, other than the inventor, who could not qualify as small business concern under 37 CFR 1.9 (d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9 (d) or a nonprofit organization under 37 CFR 1.9(e). *
NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities.
(37 CFR 1.27)

NAME Creatogen Biosciences GmbH, Ulmerstraße 160a, D-86156 Augsburg
ADDRESS Federal Republic of Germany

☐ INDIVIDUAL ☒ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME

ADDRESS

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Dr. Heinrich Kuhn
TITLE IN ORGANIZATION Patentbevollmächtigter der MPG Max-Planck-Gesellschaft
ADDRESS OF PERSON SIGNING Königinstr. 19, 80539 München zur Förderung der
Wissenschaften e.V.

SIGNATURE

Dr. Heinrich Kuhn

200 Full name of second joint inventor, if any Joachim Jose

Inventor's signature X

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300 Full name of third joint inventor, if any Thomas F. Meyer

Inventor's signature X

Residence D-72076 Tübingen, Federal Republic of Germany

Citizenship Germany

Post Office Address Spemannstraße 30, D-72076 Tübingen, Germany

Full name of fourth joint inventor, if any

Inventor's signature

Residence

Citizenship

Post Office Address

Full name of fifth joint inventor, if any

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Full name of sixth joint inventor, if any

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Full name of eighth joint inventor, if any

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Residence

Citizenship

Post Office Address